

EXHIBIT A

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 1

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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

EDWARD LAFLAM,

Plaintiff,

v.

AMERICAN SUGAR REFINING, INC. and DOMINO
SUGAR,

Defendants.

SUMMONS

Plaintiff designates
WESTCHESTER
COUNTY as the place
of trial.

The basis of venue is
the location in which the
events or omissions
giving rise to the claim
occurred, pursuant to
CPLR § 503(a).

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff's attorneys
an answer to the complaint in this action within twenty (20) days after the service of this
summons, exclusive of the day of service, or within thirty (30) days after service is
complete if this summons is not personally delivered to you within the State of New
York. In case of your failure to answer, judgment will be taken against you by default for
the relief demanded in the complaint.

DATED: New York, New York
July 7, 2021

CELLINO LAW LLP

By: Kathleen E. Beatty 151
Kathleen E. Beatty, Esq.
Attorneys for Plaintiff
420 Lexington Avenue
Suite 830
New York, NY 10170
(800) 555-5555

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 07/07/2021

SERVICE LIST

AMERICAN SUGAR REFINING, INC.
C/O Armondo A. Tabernilla
1 N Clematis, Street, Ste. 200
West Palm Beach, FL 33401

DOMINO SUGAR
1 Federal Street
Yonkers, NY 10705

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

EDWARD LAFLAM,

Plaintiff,

COMPLAINT

v.

AMERICAN SUGAR REFINING, INC. AND
DOMINO SUGAR,

Defendants.

Plaintiff EDWARD LAFLAM, by his attorneys CELLINO LAW LLP, for his complaint against defendants AMERICAN SUGAR REFINING, INC. and DOMINO SUGAR, alleges, upon information and belief:

1. At all times herein relevant, plaintiff EDWARD LAFLAM was and has been a resident of the County of Steuben and State of New York.

2. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. was a foreign business corporation, authorized to do business in the State of New York.

3. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. had a principal place of business in the County of Westchester, State of New York.

4. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. had an office for conducting business in the County of Westchester, State of New York.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

5. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. transacted business within the State of New York and/or contracted anywhere to supply goods or services in the State of New York.

6. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. committed a tortious act within the State of New York.

7. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. committed a tortious act without the State of New York causing injury to person or property within the State of New York.

8. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. owned, used, or possessed any real property situated with the State of New York.

9. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. was a company conducting business in the State of New York.

10. At all times herein mentioned, defendant AMERICAN SUGAR REFINING, INC. transacted business within the State of New York and/or contracted anywhere to supply goods or services in the State of New York.

11. By virtue of the allegations above, defendant AMERICAN SUGAR REFINING, INC. is subject to the laws of the State of New York pursuant to CPLR § 302.

12. At all times herein mentioned, defendant DOMINO SUGAR was a foreign business corporation, authorized to do business in the State of New York.

13. At all times herein mentioned, defendant DOMINO SUGAR had a principal place of business in the County of Westchester, State of New York.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

14. At all times herein mentioned, defendant DOMINO SUGAR had an office for conducting business in the County of Westchester, State of New York.

15. At all times herein mentioned, defendant DOMINO SUGAR transacted business within the State of New York and/or contracted anywhere to supply goods or services in the State of New York.

16. At all times herein mentioned, defendant DOMINO SUGAR committed a tortious act within the State of New York.

17. At all times herein mentioned, defendant DOMINO SUGAR committed a tortious act without the State of New York causing injury to person or property within the State of New York.

18. At all times herein mentioned, defendant DOMINO SUGAR owned, used, or possessed any real property situated with the State of New York.

19. At all times herein mentioned, defendant DOMINO SUGAR was a company conducting business in the State of New York.

20. At all times herein mentioned, defendant DOMINO SUGAR transacted business within the State of New York and/or contracted anywhere to supply goods or services in the State of New York.

21. By virtue of the allegations above, defendant DOMINO SUGAR is subject to the laws of the State of New York pursuant to CPLR § 302.

22. On September 24, 2020, defendant AMERICAN SUGAR REFINING, INC. owned certain premises located at 1 Federal Street, Yonkers, New York.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

23. On September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees maintained certain premises located at 1 Federal Street, Yonkers, New York.

24. On September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees managed certain premises located at 1 Federal Street, Yonkers, New York.

25. On September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees cleaned certain premises located at 1 Federal Street, Yonkers, New York.

26. On September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees inspected certain premises located at 1 Federal Street, Yonkers, New York.

27. On and/or before September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees repaired certain premises located at 1 Federal Street, Yonkers, New York.

28. Before September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees designed certain premises located at 1 Federal Street, Yonkers, New York.

29. Before September 24, 2020, defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees installed a staircase at premises located at 1 Federal Street, Yonkers, New York.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

30. On September 24, 2020, it was the duty of defendant AMERICAN SUGAR REFINING, INC., by its agents, servants, and/or employees to maintain certain premises located at 1 Federal Street, Yonkers, New York in a reasonably safe condition for business invitees, employees, guests, and any others reasonably foreseeable to be thereat.

31. On September 24, 2020, defendant DOMINO SUGAR owned certain premises located at 1 Federal Street, Yonkers, New York.

32. On September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees maintained certain premises located at 1 Federal Street, Yonkers, New York.

33. On September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees managed certain premises located at 1 Federal Street, Yonkers, New York.

34. On September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees cleaned certain premises located at 1 Federal Street, Yonkers, New York.

35. On September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees inspected certain premises located at 1 Federal Street, Yonkers, New York.

36. On and/or before September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees repaired certain premises located at 1 Federal Street, Yonkers, New York.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

37. Before September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees designed certain premises located at 1 Federal Street, Yonkers, New York.

38. Before September 24, 2020, defendant DOMINO SUGAR, by its agents, servants, and/or employees installed a staircase at premises located at 1 Federal Street, Yonkers, New York.

39. On September 24, 2020, it was the duty of defendant DOMINO SUGAR, by its agents, servants, and/or employees to maintain certain premises located at 1 Federal Street, Yonkers, New York in a reasonably safe condition for business invitees, employees, guests, and any others reasonably foreseeable to be thereat.

40. On September 24, 2020, plaintiff EDWARD LAFLAM was lawfully on the premises located at 1 Federal Street, Yonkers, New York.

41. On September 24, 2020, plaintiff EDWARD LAFLAM was caused to slip and fall on the premises located at 1 Federal Street, Yonkers, New York due to a dangerous, slick, wet, slippery condition, thereby sustaining serious injuries and damages.

42. Plaintiff EDWARD LAFLAM's, injuries and damages referred to herein were caused by defendants' negligence, by creating and permitting a dangerous condition within defendants' premises, which the defendants knew, or should have known, existed and continued to exist within said premises and/or by failing to warn plaintiff, EDWARD LAFLAM, of said dangerous condition.

FILED: WESTCHESTER COUNTY CLERK 07/07/2021 12:09 PM

INDEX NO. 59117/2021

NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 07/07/2021

43. The aforementioned incident occurred solely as a result of defendants' negligence, without any negligence attributable in any measure to plaintiff, EDWARD LAFLAM.

44. As a result of the negligence of the defendants as alleged above, plaintiff, EDWARD LAFLAM, was seriously injured and has suffered damages in an amount which exceeds the monetary jurisdictional limits of all lower New York State Courts.

WHEREFORE plaintiff EDWARD LAFLAM demands judgment against defendants, AMERICAN SUGAR REFINING, INC. and DOMINO SUGAR, jointly and severally, in an amount which exceeds the monetary jurisdictional limits of all lower New York State Courts and plaintiff, EDWARD LAFLAM, demands such other, further and different relief as the Court may deem just and proper, together with the costs and disbursements of this action.

DATED: New York, New York
July 7, 2021

CELLINO LAW LLP

By: 
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Attorneys for Plaintiff
420 Lexington Avenue Suite 830
New York, NY 10170
(800) 555-5555